



Atty. Dkt. No. 333158-1150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald A. GUTER, et al.

Title: BIO DEGRADATION OF
OXYANIONS SUCH AS
PERCHLORATE ON ION
EXCHANGE RESINS

Appl. No.: 10/789,432

Filing Date: 2/26/2004

Examiner: Barry, Chester T.

Art Unit: 1724

Conf. No.: 5691

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>_____ Esther Lily C. Esguerra (Printed Name)</p> <p>_____ (Signature)</p> <p>_____ October 26, 2006 (Date of Deposit)</p>

FIRST INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

Please note that upon review of Private Pair, it was discovered that Applicant erroneously submitted First and Second Information Disclosures on October 29, 2004 and December 20, 2004, listing an incorrect serial number (10/789,436). The Information Disclosure submitted herewith is a combination of the two prior erroneously submitted documents, with the exception

of the addition of the reference listed as C6 (Xu et al.). If the erroneously submitted Information Disclosures are eventually matched to this, please disregard them.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

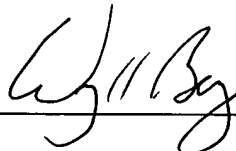
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: October 26, 2006

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By



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Form PTO-1449
(MODIFIED)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

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INFORMATION DISCLOSURE CITATION

APPLICANT

Gerald A. GUTER, et al.

FILING DATE

2/26/2004

GROUP ART UNIT

1751

OCT 30 2006

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A1	3,755,156	8/28/1973	Yakovlev et al.	210	5	
	A2	5,302,285	4/12/1994	Attaway et al.	210	605	
	A3	6,066,257	5/23/2000	Venkatesh et al.			
	A4	6,423,533	7/23/2002	Gearheart et al.			
	A5	6,358,396	3/19/2002	Baohua et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	B1	DE199 34 409	1/25/2001	Germany (English Abstract Included)				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C1	Rikken et al. "Transformation of (per)chlorate into chloride by a newly isolated bacterium: reduction and dismutation" <i>Appl. Microbial. Biotechnol</i> 45:420-426 (1996)						
	C2	Gingras et al. "Biological reduction of perchlorate in ion exchange regenerant solutions containing high salinity and ammonium levels" <i>J. Environ. Monit.</i> 4:96-101 (2002)						
	C3	Bruce et al. "Reduction of (per)chlorate by a novel organism isolated from paper mill waste" <i>Environ Microbial</i> 1(4):319-329 (1999)						
	C4	Logan, et al. "Kinetics of Perchlorate- and Chlorate-Respiring Bacteria" <i>Appl. Environ. Microbial</i> 67(6):2499-2506 (2001)						
	C5	Logan, Bruce E. "Assessing the outlook for perchlorate remediation" <i>Environmental Science & Technology</i> 35:23 (2001)						
	C6	Xu et al. "Microbial Degradation of Perchlorate: Principles and Applications" <i>Env. Engineer. Science</i> 20:405-422 (2003)						

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.